

Appl. No. 10/643,365  
Amtd. dated April 4, 2005  
Reply to Office Action of January 4, 2005

#### REMARKS

Claims 1-18 are pending. Claim 11 has been withdrawn from consideration. Claims 6-10 and 12-14 have been rejected under 35 U.S.C. §112, second paragraph. Claims 1-10 and 12-18 have been rejected under 35 U.S.C. §102. Claim 16 has been rejected under 35 U.S.C. §103. Claim 6 has been amended. Claims 1-10 and 12-18 remain for consideration upon entry of the present Amendment. No new matter has been added.

Claims 6-10 and 12-14 have been rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. In particular, the Examiner alleges that in claim 6, the term "the third substrate" lacks positive antecedent basis.

Claim 6 has been amended. In view of the amendment, Applicants respectfully assert that claim 6 (and claims 7-10 and 12-14 which depend from claim 6) is definite within the meaning of 35 U.S.C. §112, second paragraph.

Claims 1-10 and 12-18 have been rejected under 35 U.S.C. §102(f) because Applicant allegedly did not invent the claimed subject matter. In particular, the Examiner alleges that International Application Publication No. WO 2004/017785 to Orloff (hereinafter "the '785 application") discloses the same subject matter being claimed in this application.

Applicant respectfully submits that the inventorship of the '785 application is erroneous and that the Publication of the '785 application should indicate the inventorship as being Raymond Guimont (the inventor of the present application). As support for this, Applicant respectfully asks the Examiner to note that both the present application and the '785 application claim priority back to the same U.S. Provisional Patent Application, viz., U.S. Provisional Patent Application Serial No. 60/405,255, filed on August 21, 2002, and which lists Guimont as the sole inventor. Steps are being taken to correct the inventorship to reflect Guimont as being the sole inventor in each and every national stage application that is currently pending. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-10 and 12-18 based on 35 U.S.C. §102(f).

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Claims 1-4 and 15 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,809,432 to Schauble (hereinafter "Schauble"). The rejection is traversed and reconsideration is respectfully requested.

Claim 1 of the present application recites a razor assembly comprising a razor head having at least one blade and a shaving aid delivery system associated with the razor head. The shaving aid delivery system includes a framework with a supply of at least one shaving aid fluid, a microfluidic circuit for communicating the shaving aid fluid from the supply to a plurality of outlet ports along a surface of the framework, and a transport system for driving the shaving aid fluid from the supply through the microfluidic circuit.

Schauble is directed to a disposable razor having an emollient dispensing device. The razor includes an elongate body or handle assembly and a razor head assembly. A reservoir in which an emollient is contained is housed within the handle assembly. The emollient can be supplied from the reservoir in a controlled manner to an edge of a razor blade mounted on a blade mounting face on a razor mounting block. The reservoir is constructed to include an outflow orifice or passageway for passing the emollient from the handle assembly to the razor head assembly at or adjacent the inner end of the reservoir. The reservoir also includes at the outer end a plastic or rubber bulb with a vent hole therein for inducing pressure build up within the reservoir and urging the emollient toward the outflow orifice. An emollient infeed on the razor mounting block functions cooperatively with the outflow orifice and the blade mounting face. On the blade side of the block is an emollient distributor device consisting of channels, each of which stream from a well or collection area to an edge of the razor blade.

Schauble fails to disclose, teach, or suggest a framework with a supply of shaving aid fluid and a microfluidic circuit for communicating the fluid to outlet ports along a surface of the framework, as recited in claim 1. In the present invention, the framework has the shaving aid fluid, and the fluid is distributed to ports on the framework. In contrast, in the Schauble device, the fluid is contained in the handle, and the passageways direct the fluid not to outlet ports along a surface of the handle, but to the razor mounting block. More specifically, in the present invention the framework having the supply of shaving aid fluid is in the razor head and, therefore, the fluid is maintained in and

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dispensed from the razor head, whereas in Schauble the fluid is dispensed from the handle to the razor head assembly.

Schauble further fails to disclose, teach, or suggest a microfluidic circuit, as is recited in claim 1. A microfluidic circuit, as disclosed and claimed in the present application, is not merely an arrangement of channels, as in Schauble, that extend from a reservoir in a handle to an edge of a razor blade on a razor mounting block. As used in the present application, the term "microfluidic" generally refers to one or more fluid passages, chambers, or conduits which have at least one internal cross-sectional dimension, e.g., depth, width, length, diameter, or the like, that is no more than 500  $\mu$ , and typically between about 0.1  $\mu$  and about 500  $\mu$ . The Schauble reference provides no teaching whatsoever that the arrangement of channels thereof that extend from the handle to the edge of the razor blade is microfluidic in structure.

To anticipate a claim under 35 U.S.C. §102, a single reference must disclose each and every element of the claimed invention. Absence from the reference of any claimed element negates anticipation. Because Schauble fails to disclose, teach, or suggest a framework with a supply of shaving aid fluid and a microfluidic circuit for communicating the fluid to outlet ports along a surface of the framework, as recited in claim 1, claim 1 is not anticipated by the Schauble reference. Furthermore, because Schauble fails to disclose, teach, or suggest a microfluidic circuit, as recited in claim 1, claim 1 is again not anticipated by Schauble. For at least these reasons, claim 1 is allowable, and Applicant respectfully requests that the Examiner withdraw the rejection of claim 1.

Dependent claims, by definition, further define the subject matter of the independent claims from which they depend. Because claims 2-10 and 12-18 depend from claim 1, claims 2-10 and 12-18 add recitations that further define the subject matter of independent claim 1. Because claim 1 is believed to be allowable for at least the reasons presented above, claims 2-10 and 12-18 are therefore also believed to be allowable. Consequently, Applicant respectfully requests that the rejections of claims 2-10 and 12-18 be withdrawn.

Claim 16 has been rejected under 35 U.S.C. §103(a) as being unpatentable over Schauble in view of U.S. Patent No. 6,473,970 to Prochaska (hereinafter "Prochaska").

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The Examiner alleges that Schauble discloses the invention substantially as claimed except for the shaving aid selected from the group as claimed. The Examiner further alleges that Prochaska, however, teaches that such a shaving aid is well known in the art and that it would have been obvious to one of ordinary skill in the art at the time of the invention to employ such a shaving aid as an emollient on the device of Schauble.

As set forth above, Applicant respectfully contends that claim 1 is in a condition for allowance. Claims that depend from an allowable claim are themselves allowable. Because claim 16 depends from claim 1, and because claim 1 is allowable, claim 16 is also allowable. Accordingly, Applicant respectfully requests that the rejection of claim 16 be withdrawn.

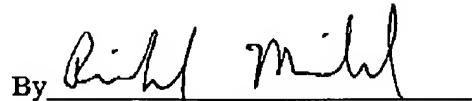
Applicant believes that the foregoing amendments and remarks are fully responsive to the Office Action and that the claims herein are allowable. In view of the foregoing points that distinguish Applicant's invention from those of the prior art and render Applicant's invention novel and non-obvious, Applicant respectfully requests that the Examiner reconsider the present application, remove the rejections, and allow the application to issue.

If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is invited to telephone the undersigned.

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Applicant believes that no fees are due with the submission of this Amendment.  
If any charges are incurred with respect to this Amendment, they may be charged to  
Deposit Account No. 503342 maintained by Applicant's attorneys.

Respectfully submitted,

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